

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

CHRISTINE FATHE RUSH,  
Plaintiff,  
v.  
Commissioner of Social Security,  
Defendant.

CIVIL NO. 1:24-cv-00772-EPG  
STIPULATION TO VOLUNTARY  
REMAND PURSUANT TO SENTENCE  
FOUR OF 42 U.S.C. § 405(g) AND TO  
ENTRY OF JUDGMENT; ORDER  
(ECF No. 16)

IT IS STIPULATED by and between Plaintiff (“Plaintiff”) and Defendant Commissioner of Social Security (“Defendant”), through their undersigned counsel of record, that the above-entitled action shall be remanded to the Commissioner of Social Security for further administrative proceedings.

Upon remand, the Appeals Council will remand the case to an Administrative Law Judge (ALJ) for a new decision, and instruct the ALJ to re-evaluate the evidence of record. The parties further request that the Court direct the Clerk of the Court to enter a final judgment in favor of Plaintiff, and against Defendant, reversing the final decision of the Commissioner.

This stipulation constitutes a remand under the fourth sentence of Section 205(g) of the Social Security Act, 42 U.S.C. 405(g).

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1 Dated: November 26, 2024

/s/ Francesco Benavides\*

FRANCESCO BENAVIDES

Attorney for Plaintiff

\*Authorized via e-mail on November 26, 2024

4 PHILLIP A. TALBERT

United States Attorney

MATHEW W. PILE

Associate General Counsel

Social Security Administration

7 By: /s/ Erin Jurrens

ERIN JURRENS

Special Assistant U.S. Attorney

Attorneys for Defendant

**ORDER<sup>1</sup>**

Based upon the parties' Stipulation to Voluntary Remand Pursuant to Sentence Four of 42 U.S.C. § 405(g) and to Entry of Judgment ("Stipulation to Remand"), and for cause shown, IT IS ORDERED that the above-captioned action is remanded to the Commissioner of Social Security for further proceedings pursuant to the fourth sentence of Section 205(g) of the Social Security Act, 42 U.S.C. 405(g). On remand, the Appeals Council will remand the case to an administrative law judge for a new decision in accordance with the parties' Stipulation.

The Clerk of the Court is respectfully directed to enter a judgment in favor of Plaintiff and against Defendant, and to terminate as moot Plaintiff's pending motion for summary judgment. (ECF No. 12).

IT IS SO ORDERED.

Dated: **November 26, 2024**

/s/ Eric P. Grogan  
UNITED STATES MAGISTRATE JUDGE

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<sup>1</sup> The parties consented to the jurisdiction of the undersigned "for all further proceedings in this action, including trial and entry of judgment, pursuant to 28 U.S.C. § 636(c)(1)." See ECF No. 10.